

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	)	
JOSEPH AMATO, et al.,	)	
	)	
Plaintiffs,	)	<b>AFFIDAVIT OF SERVICE</b>
	)	
-against-	)	<b>05 CV 8453 (RJS)(JCF)</b>
	)	
THE CITY OF NEW YORK, et al.	)	
	)	
Defendants.	)	
-----X	)	

STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF NEW YORK                )

Patricia Choi, being duly sworn, deposes and says that the deponent is not a party to this action, is over the age of eighteen years, and is employed by Michael L. Spiegel, Esq., with offices located at 111 Broadway, Suite 1305, New York, New York 10006.

(1) That on February 4, 2008 at 3:58 pm, deponent served a summons and complaint in the above-captioned matter upon defendants Stephen Hammerman, Ruby Marin-Jordan, Thomas Doepfner, and Kerry Sweet at their places of employment, c/o NYPD Legal Bureau, 1 Police Plaza, 14<sup>th</sup> floor, New York, NY 10038. The set of documents was accepted and stamped by Lisa Moore, an attorney with the Legal Bureau. Ms. Moore is African-American, 5'4" tall, 135 pounds, and has black hair.

(2) That on February 4, 2008 at 4:10 pm, deponent served a summons and complaint in the above-captioned matter upon defendant David Cohen at his place of employment, c/o NYPD, 1 Police Plaza, Room 1108, New York, NY 10038. The set of documents was accepted by Det. James Klobus. Det. Klobus is white, 5'7" tall, 180 pounds, and bald.

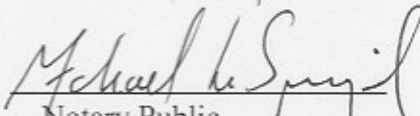
(3) That on February 4, 2008 at 4:15 pm, deponent served a summons and complaint in the above-captioned matter upon defendant John Colgan at his place of employment, c/o NYPD, 1

Police Plaza, Room 1109, New York, NY 10038. The set of documents was accepted by Det. David Kao. Det. Kao is Asian, 5'9" tall, 165 pounds, and has black hair.

(4) That on the 5<sup>th</sup> day of February 2008, deponent mailed true copies of the summons and complaint to each defendant listed in paragraphs (1)- (3) above. Each set of documents was mailed in separate envelopes to the same address where documents had been served. The envelopes were marked "Personal and Confidential" and without any indication that communication was from an attorney or concerned any action against the individuals. The envelopes were placed in a U.S. mailbox at the post office located at 90 Church Street, New York, New York.

  
Patricia Choi

Sworn to before me this 5 th  
day of February, 2008

  
Notary Public

MICHAEL L. SPIEGEL  
Notary Public, State of New York  
No. 02SP5072155  
Qualified in New York County  
Commission Expires Jan. 27, 2011



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

Joseph Amato, et al.,

**AMENDED  
SUMMONS IN A CIVIL ACTION**

V.

The City of New York, et al.,

CASE NUMBER: 05 CV 8453 (RJS) (JCF)

TO: (Name and address of Defendant)

Ruby Marin-Jordan  
NYPB Legal Bureau  
1 Police Plaza  
New York, NY 10038

POLICE DEPARTMENT  
CITY OF NEW YORK  
2008 FEB -4 P 3:58

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel  
111 Broadway, Suite 1305  
New York, NY 10006

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

(By) DEPUTY CLERK

DATE

**JAN 28 2008**

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Other (specify):</div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

Joseph Amato, et al.,

**AMENDED**  
**SUMMONS IN A CIVIL ACTION**

V.

The City of New York, et al.,

CASE NUMBER: 05 CV 8453 (RJS) (JCF)

TO: (Name and address of Defendant)

Thomas Doepfner  
NYPD Legal Bureau  
1 Police Plaza  
New York, NY 10038

2008 FEB -4 P 3:51  
POLICE DEPARTMENT  
CITY OF NEW YORK

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel  
111 Broadway, Suite 1305  
New York, NY 10006

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

*Satecia Custis*

(By) DEPUTY CLERK

**JAN 28 2008**

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<p><input type="checkbox"/> Served personally upon the defendant. Place where served:</p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p style="padding-left: 40px;">Name of person with whom the summons and complaint were left:</p> <p><input type="checkbox"/> Returned unexecuted:</p> <p><input type="checkbox"/> Other (specify):</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 10%;"> <div style="text-align: center;">Date</div> <div style="text-align: center;">Signature of Server</div> </div> <div style="text-align: center; margin-top: 20px;">       _____        Address of Server     </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 8/01) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

Joseph Amato, et al.,

**AMENDED  
SUMMONS IN A CIVIL ACTION**

V.

The City of New York, et al.,

CASE NUMBER: 05 CV 8453 (RJS) (JCF)

TO: (Name and address of Defendant)

Stephen Hammerman  
 NYPD Legal Bureau  
 1 Police Plaza  
 New York, NY 10038

POLICE DEPARTMENT  
 CITY OF NEW YORK  
 2008 FEB -4 P 4:00

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (Name and address)

Michael L. Spiegel  
 111 Broadway, Suite 1305  
 New York, NY 10006

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

J. MICHAEL McMAHON

DATE

JAN 28 2008

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div><input type="checkbox"/> Other (specify):</div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 8/01) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

Joseph Amato, et al.,

**AMENDED  
SUMMONS IN A CIVIL ACTION**

V.

The City of New York, et al.,

CASE NUMBER: 05 CV 8453 (RJS) (JCF)

TO: (Name and address of Defendant)

Kerry Sweet  
 NYPD Legal Bureau  
 1 Police Plaza  
 New York, NY 10038

POLICE DEPARTMENT  
 CITY OF NEW YORK  
 2008 FEB -4 P 4: 01

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel  
 111 Broadway, Suite 1305  
 New York, NY 10006

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

(By) DEPUTY CLERK

**1 JAN 28 2008**

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<p><input type="checkbox"/> Served personally upon the defendant. Place where served:</p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left:</p> <p><input type="checkbox"/> Returned unexecuted:</p> <p><input type="checkbox"/> Other (specify):</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

Joseph Amato, et al.,

**AMENDED  
SUMMONS IN A CIVIL ACTION**

V.

The City of New York, et al.,

CASE NUMBER: 05 CV 8453 (RJS) (JCF)

TO: (Name and address of Defendant)

David Cohen  
NYPD Legal Bureau  
1 Police Plaza, Rm 1108  
New York, NY 10038

*Det James Kleb*  
02/04/08  
16<sup>10</sup> HRS

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel  
111 Broadway, Suite 1305  
New York, NY 10006

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

**J. MICHAEL McMAHON**

(By) DEPUTY CLERK

DATE

**JAN 28 2008**

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<p><input type="checkbox"/> Served personally upon the defendant. Place where served:</p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p style="padding-left: 40px;">Name of person with whom the summons and complaint were left:</p> <p><input type="checkbox"/> Returned unexecuted:</p> <p><input type="checkbox"/> Other (specify):</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 10%;"> <span>Date</span> <span>Signature of Server</span> </div>  <div style="text-align: center; margin-top: 20px;"> <span>Address of Server</span> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

Joseph Amato, et al.,

**AMENDED  
SUMMONS IN A CIVIL ACTION**

V.

The City of New York, et al.,

CASE NUMBER: 05 CV 8453 (RJS) (JCF)

TO: (Name and address of Defendant)

John Colgan  
NYPD Legal Bureau  
1 Police Plaza, Rm 1109  
New York, NY 10038

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel  
111 Broadway, Suite 1305  
New York, NY 10006

*Received 02/04/2008 @ 16:54:28  
Dev (KAO)*

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

DATE

**1 JAN 28 2008**

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Other (specify):</div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Executed on _____</p> <p style="text-align: center;">Date</p> </div> <div style="width: 60%;"> <p>_____ Signature of Server</p>    <p>_____ Address of Server</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.